



WESTFIELD-WASHINGTON

BOARD OF ZONING APPEALS

April 13, 2010

1004-VS-02

Exhibit 1

PETITION NUMBER:	1004-VS-02
SUBJECT SITE ADDRESS:	17944 Grassy Branch Road
APPELLANT:	City of Westfield
REQUEST:	1). 16.04.030 D4, Bullet 2 ; Reduce minimum lot size from 3 to 1.535 acres. 2). 16.04.030 D6, Bullet 1 ; Reduce front yard setback from 100 feet to 20 feet. 3). 16.04.030 D6, Bullet 3 ; Reduce rear yard setback from 30 feet to 22 feet. 4). 16.04.165 D1e(1) ; Allow overhead bay doors to face a public street. 5). 16.06.050 B2 ; Reduction of road frontage planting requirements from 8 shade trees to 3 shade trees. 6). 16.06.060 C ; Reduction of eastern buffer yard requirements by reducing the buffer yard from 40 feet to 20 feet, and by reducing the planting requirements from 11 evergreen trees to 0 and 54 evergreen shrubs to 35 evergreen shrubs.
CURRENT ZONING:	SF-2
CURRENT LAND USE:	Educational/Open Space
APPROXIMATE ACREAGE:	1.5 ac.
EXHIBITS:	1. Staff Report 2. Aerial Location Map 3. Appellant's Application and Plans
STAFF REVIEWER:	Ryan Schafer

PETITION HISTORY

This petition will receive a public hearing at the April 13, 2010 Board of Zoning Appeals meeting.

ANALYSIS

The City of Westfield is requesting relief from the development standards listed above for the proposed development of Westfield Fire Station #83 (the 'Fire Station'). The site for the Fire Station (the 'Property') is located immediately east of Washington Woods Elementary School (the 'School') on Grassy Branch Road. "Fire Stations" are a permitted use in the SF-2 District.

Minimum Lot Size

The site consists of 1.535 acres. The Property is bounded by a physical barrier to the west (22 foot access drive for the School), to the east (Grassy Branch Road right-of-way), and to the south (private property owner).

Front Yard Setback

The front setback in the SF 2 district for 3 acre lots is 100 feet. The east elevation of the building will be placed 20 feet from the right-of-way. The lot depth of the Property is 150 feet.

Rear Yard Setback

The rear setback in the SF 2 district for 3 acre lots is 30 feet. The west elevation of the building will be 22 feet from the right-of-way.



Bay Doors

Bay doors are not normally permitted to face a public street. A variance is being sought for bay doors in this case so that dispatch times to emergency situations are not impaired by inefficient access to Grassy Branch Road.

Road Frontage Planting

The City's landscaping standards require that 8 shade trees be placed on the Property along the right-of-way. In the site plan, three shade trees are depicted immediately northeast of the parking lot. A reduction in this requirement allows for a clear and uninhibited line of sight for both emergency personnel as well as motorists/pedestrians in the event of emergency dispatch.

Eastern Buffer Yard

The Fire Station abuts residential uses to the east. The Westfield-Washington Zoning Ordinance requires that non-residential uses abutting residential uses provide 40 feet of buffer yard. The City is seeking a variance of 20 feet from this requirement due to the dimensions of the Property. Buffer yard planting requirements call for 11 evergreen trees and 54 shrubs placed within the buffer yard. The site plan includes 0 evergreen trees and 36 evergreen shrubs. A variance from this standard is being sought to allow for a clear and uninhibited line of sight for both emergency personnel as well as motorists/pedestrians in the event of emergency dispatch.

PROCEDURAL

The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Ind. Code 36-7-4-918.5 only upon a determination in writing that:

STANDARDS FOR VARIANCE REQUEST

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community:

Finding: The above variances are unlikely to be injurious to the public health, safety, morals, and general welfare of the community. The proposed fire station is designed to help ensure public health, safety, and general welfare.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:

Finding: The above variances are unlikely to affect the use and value of adjacent properties in a substantially adverse manner. Adjacent areas are likely to receive the greatest benefits from the proposed fire station.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property:

Finding: Strict adherence to the setback and lot requirements as stated in the zoning ordinance will prevent the construction of this project at this location because of lot size and configuration. In strictly following the landscape ordinance, egress of emergency vehicles from this location would be inhibited due to the line of sight issues created by required plantings.



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RECOMMENDATIONS

Approve this request based on the findings of this report.

RAS